IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE GODA RAGHURAM

-

WRIT PETITION NO : 19927 of 2004

Between:

V.Kishore Kumar, s/o V. Rajamallaiah,
O/o The Child Development Project Officer, Chennur, Adilabad District.

..... PETITIONER

AND

1 The District Collector, Karimnagar.
2 The Regional Deputy Director, Women Development & Child Welfare, Advocates' Colony, Hanamkonda, Warangal District.
3 The Child Development Project Officer, I.C.D.S. Project, Husnabad,Karimnagar District.
4 Sri Christapher, I.C.D.S. Project,Husnanad, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to set aside the order dt. 15-10-2003 passed in O.A.No. 3222 of 2000 by the Hon'ble A.P. Administrative Tribunal, and also the Proceedings No. E2.943/98 dt. 30-3-2000 of the 1st respondent and proceedings No. B/340/2000 dt. 26-5-2000 of the 2nd respondent declaring the same as illegal, arbitrary, without jurisdiction and untenable under the law and consequently direct the respondents to repost the petitioner as Senior Assistant in the office of the 3rd respondent with all consequential benefits.

Counsel for the Petitioner: MR.M.BALAGANGADHARAIAH

Counsel for the Respondent Nos. 1 to 3: GP FOR WOMEN DEV. & CHILD WELFARE

The Court at the admission stage made the following:

ORDER:

(Per the Hon'ble Sri Justice J.Chelameswar)

Aggrieved by an order dated 15.10.2003 in O.A.No.3222 of 2000 of the A.P. Administrative Tribunal, the unsuccessful applicant therein filed the present writ petition.

2. The petitioner was working as Senior Assistant in the office of the ICDS, Husnabad, Karimnagar District. The first respondent by his order dated 30.03.2000 in Proceedings No.340/B/98 sought to transfer the applicant from Husnabad to Mahadevpur of the same district.

3. We find more than one ground to dismiss the writ petition i.e.,
1) that the order of the Tribunal in question was passed on
15.10.2003, no explanation whatsoever is found for such delay to approach this Court. 2) When the matter was taken up for hearing by the Tribunal, there was no representation on behalf of the applicant. Lastly, it is ultimately an order of transfer, which is an incident of service and that too after lapse of more than four years after the petitioner was originally posted at Husnabad.

4. We do not see any reason to interfere with the orders passed by the Tribunal. There are no merits in this writ petition.

5. Accordingly, the writ petition is dismissed at the admission stage.

_____

J.CHELAMESWAR, J

GODA RAGHURAM, J

Dated 05th November, 2004.

ycr/pgs

To

1 The District Collector, Karimnagar.
2 The Regional Deputy Director, Women Development & Child Welfare, Advocates' Colony, Hanamkonda, Warangal District.
3 The Child Development Project Officer, I.C.D.S. Project, Husnabad, Karimnagar District.
4. 2 CCs to G.P. for Women Development and Child Welfare, High Court Buildings, Hyderabad. (OUT)
5. 2 C.D. copies.